

THE UNITED SHATES OF AMERICA

TO ALL TO WHOM THESE: PRESENTS: SHALL COME:

Plue Moon Jarms TIG.

MILETERS, THERE HAS BEEN PRESENTED TO THE

Secretary of Agriculture

AN APPLICATION REQUESTING A CERTIFICATE OF PROTECTION FOR AN ALLEGED DISTINCT VARIETY OF SEXUALLY REPRODUCED, OR TUBER PROPAGATED PLANT, THE NAME AND DESCRIPTION OF WHICH ARE CONTAINED IN THE APPLICATION AND EXHIBITS, A COPY OF WHICH IS HEREUNTO ANNEXED AND MADE A PART HEREOF, AND THE VARIOUS REQUIREMENTS OF LAW IN SUCH CASES MADE AND PROVIDED HAVE BEEN COMPLIED WITH, AND THE TITLE THERETO IS, FROM THE RECORDS OF THE PLANT VARIETY PROTECTION OFFICE, IN THE APPLICANT(S) INDICATED IN THE SAID COPY, AND WHEREAS, UPON DUE EXAMINATION MADE, THE SAID APPLICANT(S) IS (ARE) ADJUDGED TO BE ENTITLED TO A CERTIFICATE OF PLANT VARIETY PROTECTION UNDER THE LAW.

NOW, THEREFORE, THIS CERTIFICATE OF PLANT VARIETY PROTECTION IS TO GRANT UNTO THE SAID APPLICANT(S) AND THE SUCCESSORS, HEIRS OR ASSIGNS OF THE SAID APPLICANT(S) FOR THE TERM OF TWENTY TEARS. FROM THE DATE OF THIS GRANT, SUBJECT TO THE PAYMENT OF THE REQUIRED FEES AND PERIODIC REPLENISHMENT OF VIABLE BASIC SEED OF THE VARIETY IN A PUBLIC REPOSITORY AS PROVIDED BY LAW, THE USH TO EXCLUDE OTHERS FROM SELLING THE VARIETY, OR OFFERING IT FOR SALE, OR REPRODUCING IT, OR OFFING IT, OR EXPORTING IT, OR CONDITIONING IT FOR PROPAGATION, OR STOCKING IT FOR ANY OF THE HURPOSES, OR USING IT IN PRODUCING A HYBRID OR DIFFERENT VARIETY THEREFROM, TO THE EXTENT OF THE PLANT VARIETY PROTECTION ACT. (84 STAT. 1542, AS AMENDED, 7 U.S.C. 2321 ET SEQ.)

FESCUE, TALL

'Shelby'

In Vestimonn Marcos, I have hereunto set my hand and caused the seal of the Flant Bariety Protection Office to be affixed at the City of Washington, D.C. this twenty-ninth day of November, in the year two thousand and seven.

Altest:

De more

Commissioner Plant Variety Protection Office Agricultural Marketing Service Secretary dive

REPRODUCE LOCALLY. Include form number and d	ate on all reprode	uctions			Form	Approved - OMB No. 0581-0055		
U.S. DEPARTMEI AGRICULTURAL I SCIENCE AND TECHNOLOGY - P	MARKETING SER LANT VARIETY F	IVICE PROTECTION OFFICE	the Paperwork F Application is req	Reduction Act (PRA) of nuired in order to deten	1995. nine if a plant variety pro	ncy Act of 1974 (5 U.S.C. 552a) and objection certificate is to be issued		
APPLICATION FOR PLANT VA (Instructions and information co.			(7 U.S.C. 2421).	Information is held co	nfidential until certificate	is issued (7 U.S.C. 2426).		
1. NAME OF OWNER			2. TEMPORARY EXPERIMENT	DESIGNATION OR TAL NAME	3. VARIETY NAME			
Blue Moon Farms <i>LLC</i> (<i>BT: 1/11/2007</i>)			01.0576		Shelby			
4. ADDRESS (Street and No., or R.F.D. No., City,	State, and ZIP Co	ode, and Country)	5. TELEPHONE	(include area code)	FOR	OFFICIAL USE ONLY		
811 Mountain River Dr.			(541) 451-	1847	PVPO NUMBER	•		
Lebanon, OR 97355			6. FAX (include	area code)	2004	100137		
			(541) 451-1	847	FILING DATE			
 IF THE OWNER NAMED IS NOT A "PERSON", ORGANIZATION (corporation, partnership, asso 		IF INCORPORATED, GIVE STATE OF INCORPORATION	9. DATE OF INC	ORPORATION	Mana	11, 2004		
LLC		OR	September	г 1, 2000				
10. NAME AND ADDRESS OF OWNER REPRESE	ENTATIVE(S) TO	L SERVE IN THIS APPLICATION. <i>(Fi</i> rs	t person listed will rec	eive all papers)	F FILING ANI	EXAMINATION FEES:		
V. G. Lehman					\$ · 34	52-		
811 Mountain River Dr.					R DATE C	3/11/2004 TION FEE:		
Lebanon, OR 97355					ے سیما ⊑ا			
					🖔 • <i>76</i> 8			
					D DATE 10	/31/2007		
11. TELEPHONE (Include area code)	12. FAX (Includ	de area code)	13. E-MAIL					
(541) 451-1847	(541) 45		vlehman(-				
14. CROP KIND (Common Name)		AME (Botanical)			IN ANY TRANSGENES	? (OPTIONAL)		
tall fescue	Graminae				POICNED HODA ABUIG	REFERENCE NUMBER FOR THE		
15. GENUS AND SPECIES NAME OF CROP		RIETY A FIRST GENERATION HYBE				NETICALLY MODIFIED PLANT FOR		
Festuca arundinacea	☐ YES		l l	IERICALIZATION				
 CHECK APPROPRIATE BOX FOR EACH ATT/ (Follow instructions on reverse) 	ACHMENT SUBM	ITTED				VARIETY BE SOLD AS A CLASS int Variety Protection Act)		
a. Z Exhibit A. Origin and Breeding History	of the Variety				tems 21 and 22 below)			
b. Exhibit B. Statement of Distinctness				THE OWNER SPECIF ER OF CLASSES?	THAT SEED OF THIS	VARIETY BE LIMITED AS TO		
c. Exhibit C. Objective Description of Var	lety			YES 🔲 NO				
d. Exhibit D. Additional Description of the	Variety (Optional))				REGISTERED LE CERTIFIED		
e. Exhibit E. Statement of the Basis of the	e Owner's Owners	ship		THE OWNER SPECIF OR OF GÉNERATION:		VARIETY BE LIMITED AS TO		
f. Voucher Sample (2,500 viable untreate verification that tissue culture will be de			7	YES NO				
repository) g.	nade pavable to "T	reasurer of the United	<u> </u>		ER 1,2,3, etc. FOR EA			
States" (Mail to the Plant Variety Protect		· · · · · · · · · · · · · · · · · · ·	1 .	INDATION I RE				
23. HAS THE VARIETY (INCLUDING ANY HARVES	STED MATERIAL)	OR A HYBRID PRODUCED	24. IS THE	(if additional explanation is necessary, please use the space indicated on the reverse.) 24. IS THE VARIETY OR ANY COMPONENT OF THE VARIETY PROTECTED BY INTELLECTUAL PROPERTY RIGHT (PLANT BREEDER'S RIGHT OR PATENT)?				
FROM THIS VARIETY BEEN SOLD, DISPOSED OTHER COUNTRIES?	D OF, TRANSFER	RRED, OR USED IN THE U.S. OR						
YES 🗹 NO			TES INO					
IF YES, YOU MUST PROVIDE THE DATE OF FOR EACH COUNTRY AND THE CIRCUMSTA				IF YES, PLEASE GIVE COUNTRY, DATE OF FILING OR ISSUANCE AND ASSIGNED REFERENCE NUMBER. (Please use space indicated on reverse.)				
25. The owners declare that a viable sample of bas a tuber propagated variety a tissue culture will be				and will be replenished upon request in accordance with such regulations as may be applicable, or for				
The undersigned owner(s) is(are) the owner of t	this sexually repro	duced or tuber propagated plant varie			tinct, uniform, and stable	e as required in Section 42, and is		
entitled to protection under the provisions of Sec Owner(s) is (are) informed that false representa		•	: It ies .					
SIGNATURE OF OWNER			SIGNATURE OF OWN	ER				
1 Leh								
NAME (Please print or type)			NAME (Please print or	(ype)				
V.G. Lehman	r = ·		V.G. Lehman					
CAPACITY OR TITLE	DATE		CAPACITY OR TITLE		DATE			
Director	<u> </u>	March 04	Director					

See reverse for instructions and information collection burden statement)

INSTRUCTIONS

GENERAL: To be effectively filed with the Plant Variety Protection Office (PVPO), ALL of the following items must be received in the PVPO: (1) Completed application form signed by the owner; (2) completed exhibits A, B, C, E; (3) for a seed reproduced variety at least 2,500 viable untreated seeds, for a hybrid variety at least 2,500 untreated seeds of each line necessary to reproduce the variety, or for tuber reproduced varieties verification that a viable (in the sense that it will reproduce an entire plant) tissue culture will be deposited and maintained in an approved public repository; (4) check drawn on a U.S. bank for \$3,652 (\$432 filing fee and \$3,220 examination fee), payable to "Treasurer of the United States" (See Section 97.6 of the Regulations and Rules of Practice.) Partial applications will be held in the PVPO for not more than 90 days, then returned to the applicant as unfilled. Mail application and other requirements to Plant Variety Protection Office, AMS, USDA, Room 401, NAL Building, 10301 Baltimore Avenue, Beltsville, MD 20705-2351. Retain one copy for your files. All items on the face of the application are self explanatory unless noted below. Corrections on the application form and exhibits must be initialed and dated. DO NOT use masking materials to make corrections. If a certificate is allowed, you will be requested to send a check payable to "Treasurer of the United States" in the amount of \$432 for issuance of the certificate. Certificates will be issued to owner, not licensee or agent.

Plant Variety Protection Office Telephone: (301) 504-5518 FAX: (301) 504-5291

To avoid conflict with other variety names in use, the applicant must check the appropriate recognized authority and provide evidence that name has been cleared by the appropriate recognized authority before the Certificate of Protection is issued. For example, for agricultural and vegetable crops, contact: Seed Branch, AMS, USDA, 10301 Baltimore Avenue, Suite 401 NAL Building, Beltsville, MD 20705. Telephone: (301) 504-5682 http://www.ams.usda.gov/lsg/seed.htm.

ITEM

- 19a. Give:
- (1) the genealogy, including public and commercial varieties, lines, or clones used, and the breeding method;
- (2) the details of subsequent stages of selection and multiplication;
- (3) evidence of uniformity and stability; and
- (4) the type and frequency of variants during reproduction and multiplication and state how these variants may be identified
- 19b. Give a summary of the variety's distinctness. Clearly state how this application variety may be distinguished from all other varieties in the same crop. If the new variety is most similar to one variety or a group of related varieties:
 - (1) identify these varieties and state all differences objectively;
 - (2) attach statistical data for characters expressed numerically and demonstrate that these are clear differences, and
 - (3) submit, if helpful, seed and plant specimens or photographs (prints) of seed and plant comparisons which clearly indicate distinctness.
- 19c. Exhibit C forms are available from the PVPO Office for most crops; specify crop kind. Fill in Exhibit C (Objective Description of Variety) form as completely as possible to describe your variety.
- 19d. Optional additional characteristics and/or photographs. Describe any additional characteristics that cannot be accurately conveyed in Exhibit C. Use comparative varieties as is necessary to reveal more accurately the characteristics that are difficult to describe, such as plant habit, plant color, disease resistance, etc.
- 19e. Section 52(5) of the Act requires applicants to furnish a statement of the basis of the applicant's ownership. An Exhibit E form is available from the PVPO.
- 20. If "Yes" is specified (seed of this variety be sold by variety name only, as a class of certified seed), the applicant MAY NOT reverse this affirmative decision after the variety has been sold and so labeled, the decision published, or the certificate issued. However, if "No" has been specified, the applicant may change the choice. (See Regulations and Rules of Practice, Section 97.103).
- 23. See Sections 41, 42, and 43 of the Act and Section 97.5 of the regulations for eligibility requirements.
- 24. See Section 55 of the Act for instructions on claiming the benefit of an earlier filing date.
- 22. CONTINUED FROM FRONT (Please provide a statement as to the limitation and sequence of generations that may be certified.)
- 23. CONTINUED FROM FRONT (Please provide the date of first sale, disposition, transfer, or use for each country and the circumstances, if the variety (including any harvested material) or a hybrid produced from this variety has been sold, disposed of, transferred, or used in the U.S. or other countries.)
- 24. CONTINUED FROM FRONT (Please give the country, date of filing or issuance, and assigned reference number, if the variety or any component of the variety is protected by intellectual property right (Plant Breeder's Right or Patent).)

NOTES: It is the responsibility of the applicant/owner to keep the PVPO informed of any changes of address or change of ownership or assignment or owner's representative during the life of the application/certificate. The fees for filing a change of address; owner's representative; ownership or assignment; or any modification of owner's name is specified in Section 97.175 of the regulations. (See Section 101 of the Act, and Sections 97.130, 97.131, 97.175(h) of the Regulations and Rules of Practice.)

According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0581-0055. The time required to complete this information collection is estimated to average 1.4 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, gender, religion, age, disability, sexual orientation, marital or family status, political beliefs, parental status, or protected genetic information. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at 202-720-2600 (voice and TDD).

To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, Room 326-W, Whitten Building, 14th and Independence Avenue, SW, Washington, DC 20250-9410 or call 202-720-5964 (voice and TDD). USDA is an equal opportunity provider and employer.

Exhibit A. Breeding History of Shelby Tall Fescue

The parental clones of Shelby trace to a long term breeding program initiated in 1990 near Lebanon OR. Over years, parental sources tracing to Rebel II, Rebel III, Rebel 3D, Tribute, Rebel Jr., Rebel Sentry, Velocity, Rebel 2000, Shenandoah, and Bonsai were subjected to varying cycles of heat, salt, and drought stress followed by recombination and subsequent stress with selection of survivors. Several years of turf evaluations for progeny selection and brown patch resistance were conducted in Illinois turf plantings, with subsequent use of superior maternal lines. In addition, several major collections of segregated clones from old turf areas from New Jersey to Texas were made during heat stress periods, and added to the various combinations. The parental identity of the collected clones is unknown. In 1998, over 500,000 tall fescue plants from aforementioned single plants tracing to cross among selected varieties and collections were screened for drought stress under greenhouse conditions. In Fall 1999, approximately 60,000 tall fescue plants were placed in various field nurseries. During Spring and Summer of 2000, no fertilizer or irrigation was applied was applied to the field nurseries. In Fall of 2000, approximately 200 plants from the original 60,000 plants tracing to the original parental sources were moved into blocks for proximity crosses. Simultaneous breeding of other tall fescues was conducted on the same farm.

Twenty-one clones of tall fescue placed in a proximity maternal crossing block were harvested as Shelby in the summer of 2001. The final clones in the variety were selected for dark green color and persistence under drought stress. Sources planted in Fall 2000 were identified as:

- 1. 01-C10-1
- 2. 01-C10-2
- 3. 01-C10-3
- 4. 01-C10-4
- 5. 01-C10-5
- 6. 01-C10-6
- 7. 98.0473-1
- 8. 98.0473-2
- 9. 98.0473-3
- 10. 98.1130-1
- 11. 98.1130-2
- 12. 98.0251-1
- 13. 01-C10-12
- 14. 98.1130-3
- 15. 01-C10-15
- 16. 01-C10-16
- 17. 98.0251-2
- 18. 01-C10-18
- 19. 01-C10-19
- 20. 01-C10-20
- 21. 01-C10-21

(9/12/200781) Exhibit B.

Statement of Stability:

No objectionable off-type plants or variants have been observed in the reproduction or multiplication of Shelby. Shelby is a stable and uniform variety. Shelby has been observed to be uniform and stable over a period of six years and three generations for characteristics described in the application.

(9/12/200781)

Statement of Distinctness:

Shelby is distinct from all other tall fescues by a combination of morphological and turf characteristics. Shelby is most similar to Rebel 3D tall fescue. Rebel 3D has a longer panicle than Shelby. Rebel 3D has a taller height at ear emergence than Shelby. (Tables 1-2Exhibit D).

REPRODUCE LOCALLY. Include form number and date on all reproductions.

Form Approved - OMB No. 0581-0055

Public reporting burden for this collection of information is estimated to everage 30 minutes per response, including the time for reviewing instructions, searching existing date sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to Department of Agriculture, Clearance Officer, OIRM, AG Box 7630, Jamie L. Whitten Building, Washington, D.C. 20250. When replying, refer to OMB No. 0581-0055 and form number in your letter. Under the PRA of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

The U.S. Department of Agriculture (USDA) prohibits discrimination in its programs on the basis of race, color, national origin, sex, religion, age, disability, political beliefs, and merital or familial status. (Not all prohibited bases apply to all programs). Persons with disabilities who require alternative means for communication of program information (braille, large print, audiotape, etc.) should contact the USDA Office of Communications at (202) 720-2791. To file a complaint, write the Secretary of Agriculture, U.S. Department of Agriculture, Washington, D.C. 20250, or call (202) 720-7327 (voice) or (202) 720-1127 (TDD). USDA is an equal opportunity employer.

U.S. DEPARTMENT OF AGRICULTURE AGRICULTURAL MARKETING SERVICE SCIENCE AND TECHNOLOGY PROGRAM PLANT VARIETY PROTECTION OFFICE **BELTSVILLE, MD 20705**

EXHIBIT C (TALL & MEADOW FESCUES)

OBJECTIVE DESCRIPTION OF VARIETY TALL & MEADOW FESCUES

NAME OF APPLICANT(S) TEMPORARY DESIGNATION VARIETY NAME Blue Moon Farms LC (BT 1/14/2007) Shelby FOR OFFICIAL USE ONLY PVPO NUMBER PVPO NUMBER
ADDRESS (Street and No., or R.F.D. No., City, State, and ZIP Code) FOR OFFICIAL USE ONL.Y
ADDRESS (Street and No., or R.F.D. No., City, State, and ZIP Code) #11 Mountain River Dr., Lebanon, OR 97355 #2 PO 4 0 0 1 3 7 Place the appropriate number that describes the varietal characteristics of this variety in the boxes below. Use leading zeroes when necessary (e.g. 089) Characteristics described, including numerical measurements, should represent those that are typical for the variety. Measured data should be for SPACED PLANTS. Royal Horticultural Society or any recognized color fan may be used to determine plant colors. Characteristics marked with an asterisk * are characteristics which should be recorded. #1. SPECIES: (With comparison varieties, use varieties within the species of the application variety) #1. Turf Types 1 = Kentucky 31 2 = Rebel
Place the appropriate number that describes the varietal characteristics of this variety in the boxes below. Use leading zeroes when necessary (e.g. 089) Characteristics described, including numerical measurements, should represent those that are typical for the variety. Measured data should be for SPACED PLANTS. Royal Horticultural Society or any recognized color fan may be used to determine plant colors. Characteristics marked with an asterisk * are characteristics which should be recorded. * 1. SPECIES: (With comparison varieties, use varieties within the species of the application variety)
Characteristics described, including numerical measurements, should represent those that are typical for the variety. Measured data should be for SPACED PLANTS. Royal Horticultural Society or any recognized color fan may be used to determine plant colors. Characteristics marked with an asterisk * are characteristics which should be recorded. * 1. SPECIES: (With comparison varieties, use varieties within the species of the application variety)
1 = Kentucky 31 2 = Rebel 3 = Olympic 4 = Bonanza 5 = Arid 6 = Rebel II 7 = Shortstop 8 = Silverado 9 = Rebel Jr. 10 = Mini Mustang 11 = Crewcut 12 = Bonsai Forage Types 20 = Kentucky 31 21 = Martin 22 = Forager 23 = Mozark 24 = Kenhy 25 = AU Triumph 26 = Fawn 27 = Cajun 2 = F. pratensis (Meadow) 30 = Admira 31 = Beaumont 32 = Comtessa 33 = Ensign 34 = Trader * 2. CYTOLOGY:
7 = Shortstop 8 = Silverado 9 = Rebel Jr. 10 = Mini Mustang 11 = Crewcut 12 = Bonsai Forage Types 20 = Kentucky 31 21 = Martin 22 = Forager 23 = Mozark 24 = Kenhy 25 = AU Triumph 26 = Fawn 27 = Cajun 2 = F. pratensis (Meadow) 30 = Admira 31 = Beaumont 32 = Comtessa 33 = Ensign 34 = Trader * 2. CYTOLOGY:
Forage Types 20 = Kentucky 31 21 = Martin
20 = Kentucky 31 21 = Martin 22 = Forager 23 = Mozark 24 = Kenhy 25 = AU Triumph 26 = Fawn 27 = Cajun 2 = F. pratensis (Meadow) 30 = Admira 31 = Beaumont 32 = Comtessa 33 = Ensign 34 = Trader * 2. CYTOLOGY:
24 = Kenhy 25 = AU Triumph 26 = Fawn 27 = Cajun 2 = F. pratensis (Meadow) 30 = Admira 31 = Beaumont 32 = Comtessa 33 = Ensign 34 = Trader * 2. CYTOLOGY:
2 = F. pratensis (Meadow) 30 = Admira 31 = Beaumont 32 = Comtessa 33 = Ensign 34 = Trader * 2. CYTOLOGY:
30 = Admira 31 = Beaumont 32 = Comtessa 33 = Ensign 34 = Trader * 2. CYTOLOGY:
* 2. CYTOLOGY:
Chromosome Number

3. ADAPTATION: (0 = Not Tested; 1 = Not Adapted; 2 = Adapted)
2_Transition Zone2West2NortheastOther (Specify):
* 4. MATURITY: (Date First Headed, 10% of Panicle Emergence)

de de adorde en pala la compacta en como estadom de tratadom de como estadom de como estadom de como estadom d La compacta en pala de como en como estadom de tratadom de como estadom de como estadom de como estadom de como	6 = Bonanza	7 = Late (Silverado)	8 = ()	9 = Very late	i etima enemine termentitiinin storeet streit in transis misellistiinin sigi in sigi etermen teri mesi
		, ,	, ,	J	
Date Headed141	May 2002	Location		_Lebanon, OR	
Days ea	arlier than				
Maturity sar	me as Crewcut_			,	
8 Days lat	ter than1_	Comparison Variety			
* 5. MATURE PLANT	HEIGHT CM: (Average	of 100 culms * INTERNO	DDE LENGTH CM:		
from crown to top of p	panicle, if panicle is noddi	ing, straighten) (First interno	ode subtending the fla	ag leaf)	
96.7 cm plant	height (2003)		16.5_ cm Internode	e Length	
19.5_cm Short	= =		3.5 cm Shorte	erthan6	
Heigh	at same as	Comparison Variety	Length sa	me as7	Comparison Variety
. cm T	aller than	Companson variety	cm Longer that	n (Companson variety
	— J			— J	
* HEIGHT AT EAR E	MERGENCE CM: (Flag	gleaf height from crown to fl	ag leaf collar)		
45.8 cm I	leight		•		
15 cm Sh	norter than _6				
Heigh	t same as _	a			
	aller than	Comparison Variety			
. — — —	<i></i>				
* 6. GROWTH HABIT:	(Mature Plants)		•		
$_8$ $_1 = P_1$	rostrate () 3 =	Semiprostrate ()	5 = Horizontal	()	
$7 = S_0$	emierect (Rebel)	9 = Erect (Mini Musta	mg)		·
* 7. RHIZOMES (Psued	lo):				
	,	sent () 2 = Rare (Re	bel > 3 = C	ommon ()	
* 8, LEAF BLADE: (Til	•				
*9_ Color:	1 = Light green ()	3 = Medium	light green ()	5 = Green ()	
	7 = Medium dark gree	en () 9 = Very dar	k green ()		
7 =Rebel Jr_	Specify ratin	g of comparison variety			
*1_ Anthocy	vanin: 1 = Absent (9 = Present ()		
*_1 Basal H	airs: 1 = Absent () 9 = Present ()		
*_9 Margins	: 1 = Smooth (() 5 = Semi-rou	ıgh ()	9 = Rough ())

	*7_Width Class:	1 = Very coarse () 3	s = Coarse ()	5 = Medium ()	
		7 = Fine ()	= Very Fine ()	2	
* TIL	LER LEAF LENGTH CM: (First leaf subtending the flag lea	f) * TILLE	R LEAF WIDTH MM:	
	21.0 cm Tiller Leaf	Length	_6.0_ mm T	iller Leaf Width	
	8.2 cm Shorter than 6	•	<u>0.8</u> mm N	агтоwer than <u>6</u>	,
	Length same as cm Taller than	— Comparison Vari	iety Wid	th same as	Comparison Variety
	cm Taller than	_)		Longer than	, ,
LAG	LEAF LENGTH CM;		FLAG	LEAF WIDTH MM:	
٠.	_14.2 cm Flag Leaf Le	ngth	_5.5 mm F	lag Leaf Width	
	4.2 cm Shorter than 6	`	_0.2 mm	Narrower than_6	
	Length same as	— Comparison Vari	-4	h same as	- Comparison Variety
•	cm Longer than	J Comparison vari	mm '	Wider than	1
9. LE	EAF SHEATH: (Basal Portion	on)			
	* Anthocyanin (seedlin	g): 1 = Absent (K31)	9 = Present ()	
	*_9 Auricle Hairiness:	1 = Absent ()	9 = Pre	esent ()	
10. _P	ANICLE: (At seed maturity	except where noted.)			
	*_5 Shape: 1 = Nar		= Ovate ()	7 = Oblong ()	9 = Other (specify)
	*_7_ Type: 1 = Cor		% compact; 46.6% inter = Intermediate ()		9 = Other (specify)
	*_8 Orientation:	1 = Nodding () 9	= Erect () 3.6% n	odding; 16% semi-erect; 8	30.3% erect
**	*9_ Branch Pubescence	e: 1 = Glabrous ()	9 = Pubescent ()	
	*_6 Anther Color (At a	nthesis): 1 = Yellowish Green	2 = Green	3 = Bluish Green	
	•	4 = Purplish	5 = Reddish	6= Other (Specify) 6= y	ellow
	* 5 & 1 Glume Color (A	At anthesis): 1 = Yellow	ish Green 2 = Gre	en 3 = Bluish Gre	en
		4 = Purplish	5 = Reddish	6= Other (Specify)	
*. *	*22.5_ cm Panicle Leng	gth (from base to tip, if nodding,	straighten; after anthes	is)	
	4.1 cm Shorter than	6 }			
	Length same as	Comparison Var	iety		
	cm Longer than	_)	e w		

13. ENVIRONMENTAL STRESS

Other Nematode

4_ Drought Stress	1 = Susceptible ()	5 = Tolerant () 9 = Resistant () other: DLSD=6
0 Shade Stress	1 = Susceptible ()	5 = Tolerant () 9 = Resistant () 0=not tested

6 Winter Stress 1 = Susceptible ()

5 = Tolerant () 9 = Resistant ()

14. GIVE VARIETY OR VARIETIES THAT MOST CLOSELY RESEMBLE THE APPLICATION VARIETY. For the following characteristics, indicate the degree of resemblance with the following scale:

1 = Application variety is less than comparison variety 2 = Same as 3 = More than, better, greater, darker, etc.

Character	VarietiesRating	Character Varieties Rating
Leaf Width	1, less than Rebel Jr.	Leaf Color 3, darker than Rebel Jr.
Panicle Color		Panicle Shape
Seed Size		Cold Injury
Winter Color	3, Millenium (NC State - Fletcher)	Heat
Disease		

^{* 15.} EXPERIMENTAL: Give a brief summary of the experimental design utilized to collect the data used on this form. Cultural conditions, number of plants measured and plant spacing must be specified.

Randomized complete block, 3 replications, 20 spaced plants per replication were planted on 3 foot centers, minimum of 15 were to be measured; Cultural conditions were standard for seed production in the Pacific Northwest, with planting in the Fall and measured the following spring.

		ding		134	136	136	138	138	137	134	137	135	128	141	136	137	135	134	134	136	136	137	135	2	_
	Height at Date			30.4	39.2	39.5	45.6	45.4	34.4	40.7	31.6	40.8	59.5	30.8	42.6	34.7	38.4	30.4	36.4	35.3	29.9	34.2	46.5	4 20	
02.	1	height ear	cm	80.2	92.6	95.9	9.66	101.6	81.3	98.1	82.5	96.5	119.3	79.3	102.4	85.7	90.3	80.2	89.8	86.7	80.1	83.8	107.8	7.80	
anon, OR 20	Flag leaf F	length P	cm	10.32	11.95	11.75	13.10	16.69	12.53	13.44	13.05	12.49	17.01	8.01	13.64	11.29	12.34	10.32	11.24	10.61	9.55	9.58	15.47	2.62	
plants, Leb	Flag leaf	width	mm	5.4	5.2	8.7	5.1	5.7	5.6	5.0	5.2	5.4	5.8	4.4	5.6	4.2	5.4	5.4	5.3	4.3	5.0	4.8	6.3	1.44	
3, 1 year old	Panicle	length	сш	15.5	18.8	20.3	20.6	25.0	18.7	19.2	16.8	18.8	24.1	14.7	19.2	16.4	18.4	15.5	17.2	14.7	16.0	16.3	22.1	2.03	
Plant characters, tall fescue, 1 year old plants, Lebanon, OR 2002.		Variety		Shelby	R4-D	Rebel 3D	Rebel II	Bonanza	Rebel Jr	Crewcut	Silverado	MiniMustang	Ky31	Bonsai	Shortstop	5301	Rebel Sentry	Shelby	Rebel Pro	Rebel IV	Terradyne	MCN	Rebel III	15)	
Plant chara																								LSD (p=0.05)	
Table 1.																									

Table 2.	Plant characters, two year old	ers, two year		tall fescue,	plants, tall fescue, Lebanon, OR, measured 2003	R, measur	ed 2003.		-		
		Plant	Panicle	internode	Height at	Flag	Flag	Tiller	Tiller	Date	Date
Exper. ID	Variety	Height	length	length		Length	Width	Length	Width	heading	anthesis
		cm	cm	cm	cm	cm	mm	cm	сш		
	Shelby	2'96	22.5	16.5	45.8	14.2		21.0	0.9	122.3	149.3
	R4-D	108.5	25.0	18.9	6'99	18.4	6.4	25.7	6.8		
	Rebel 3D	114.6	26.9	18.9	61.4	17.8	9.9	27.7	ļ		
	Rebel II	120.3	26.3	21.6	63.7	17.9	6.0	28.5		ľ	
	Bonanza	116.2	26.6	20.0	8.09	18.4	5.7	29.2			,
	Rebel Jr	95.8	24.1	17.5	55.4	17.7	6.4	26.3			
	Crewcut	113.8		18.6	53.1	14.4	5.0	22.7	6.0		
	Silverado	95.8	22.9	16.7	51.0	16.3	5.3	24.0	5.8	121.3	
	MiniMustang	103.5	23.9	17.5	54.6	17.8	5.5	24.4	5.9		ľ
	Ky31	134.1	29.1	22.1	73.5	18.0	6.4	29.6			
	Bonsai	97.2	19.3	18.8	51.8	11.6	4.6	18.7	5.3		
	Shortstop	105.6	22.7	17.9	52.6	17.5	5.7	24.6	6.4		
	5301	92.3	21.4	16.4	48.4	14.6	4.9	23.7	0.9	123.0	
	Rebel Sentry	0.76	22.6	16.1	49.1	15.2	5.4	21.8			
	Shelby	96.7	22.5	16.5	45.8	14.2	5.5	21.0	0.9		149.3
	Rebel Pro	92.8	22.5	17.4	51.6	13.6	4.9	21.6	5.8	119.3	149.0
	Rebel IV	95.9	20.4	18.1	51.0	14.5	5.4	22.7	5.9	122.7	149.0
	Terradyne	91.2	19.5	16.8	46.5	12.8	4.8	19.5	5.4		
	MCN	9.96	22.6	18.5	53.5	14.5	5.1	23.8	5.9	121.7	149.7
	Rebel III	114.0	27.0	19.5	56.8	19.1	6.4	28.0	6.8	119.3	
LSD 0.05		10.90	2.60	2.86	7.70	2.70	0.72	3.07	0.68	3.59	
Note:	heading, for example, 108=18	xample, 108	=18 April								
	Anthesis, for example, 149=29 May	sxample, 148	9=29 May								
							7				

								-	
Table 3.	Turf perfon	mance, NC	State, Fleto	performance, NC State, Fletcher NC, 2002.					
	Genetic	Winter	Leaf	Mean 2002		July	August	Sept	Mean
Variety	Color	Color	Texture	Brown Patch	Density	Quality	Quality	2	Ouality
Durana	7.7	7	9	7.2	6.0		53		
AFT 075	6.7	5.3	6.3	6.8	5.4	4	4.3		
Shelby	8	7.3	5.7	6.5	6.0	3.3	4.3	4.7	
Turnberry	8	7.7	5.3	7.2	6.3	4.3	5	5.3	
Rebel Pro	8	7.7	5.7	6.4	5.2	3.7	4	4.7	
Millennium	n 6.7	5.7	7	7	6.4	5	4	4	47
Coyote	7.3	9	ဖ	7.3	6.1	3.7	5.3	ro	
Dominion	6.7	5.3	5.7	6.3	5.7	n	4.3	4.3	
Wyatt	6.7	5.7	3	6.6	5.9	3.3	4.3	4.7	20
Reserve	9	4.7	2	7	5.7	4	3.7	4	2
Rembrandi	5.7	4.7	9	6.1	5.2	3.7	ന	3.3	4
Wolfpack	6.3	5.3	2'9	7.2	6.2	2	4.3	4.3	5.6
LSD(p=0.05)	75) 0.94	0.82	99.0	1.1	0.75	1.27	1.37	1.2	0.62

Mote: (Scale for all traits: 1-9, 9=darkest or best)(87:1/11/2007).

Table 4.	Turf perfor	mance, NC	State, Jack	Turf performance, NC State, Jackson Springs NC, 2002.	IC, 2002.				
	Genetic	Winter	Leaf	Mean 2002		July	August	Sept	Mean
Variety	Color	Color	Texture	Brown Patch Density	Density	Quality	Quality	Quality	Sile C
Durana	6.7	5.7	6.3		5.8		4.3		5.3
AFT 075	7.7	9	6.3				4.3	4	
Shelby	7.7	6.3	5.3	80		4	r.C		
Tumberry	7.7	6.7	4.7	8.2	5.5	4.3	4.7		rc.
Rebel Pro	7.3	6.7	5.7	8	5.3	4.3	4.7	27	
Millennium	7.3	6.3	6.3	7.8		4	4.3		
Coyote	7	5.7	9	7.3		3.7	3.7		
Dominion	7	6.3	5.3	7.8	5.1	4	4	4	
Wyatt	6.7	6.3	9	7.7		4	4,3		5
Reserve	6.3	9	6.7	7.4	5.3	3.7	4		
Rembrandt	6.3	5.7	5.7	7.8	5.2	3.7	4		4
Wolfpack	7.3	9	6.7	7.7	4.8	4	4.3		
LSD (p=0.05)	1.76	1 39	0.87	0.94	98.0	0 70	4 43	1 24	7.2.0

REPRODUCE LOCALLY, Include form number and edition date on all	reproductions.	ORM APPROVED - OMB No. 0581-0055
U.S. DEPARTMENT OF AGRICULTURE AGRICULTURAL MARKETING SERVICE	Application is required in order to detect certificate is to be issued (7 U.S.C. 24	ermine if a plant variety protection (21). The information is held
EXHIBIT E STATEMENT OF THE BASIS OF OWNERSHIP	confidential until the certificate is issu	ed (7 U.S.C. 2426).
1. NAME OF APPLICANT(S)	2. TEMPORARY DESIGNATION	3. VARIETY NAME
	OR EXPERIMENTAL NUMBER	S. VARIETT NAME
Blue Moon Farms LLC GC: 1/11/2004)	01.0576	Shelby
4. ADDRESS (Street and No., or R.F.D. No., City, State, and ZIP, and Country)	5. TELEPHONE (Include area code)	6. FAX (Include area code)
811 Mountain River Dr.	(541) 451-1847	(541) 451-1847
Lebanon, OR 97355	7. PVPO NUMBER	1400137
8. Does the applicant own all rights to the variety? Mark an "X" in the	<u> </u>	
9. Is the applicant (individual or company) a U.S. national or a U.S. b	ased company? If no, give name of co	ountry. YES NO
40 to the applicant the advised and a property very		
10. Is the applicant the original owner?	NO If no, please answer <u>one</u>	of the following:
a. If the original rights to variety were owned by individual(s), is (are) the original owner(s) a U.S. Nationa NO If no, give name of count	
b. If the original rights to variety were owned by a company(ies), YES 11. Additional explanation on ownership (Trace ownership from origin	NO If no, give name of countr	у
Shelby was developed by V. G. Lehman, assigned to Blue Moon and marketing.		
·		
PLEASE NOTE:		
Plant variety protection can only be afforded to the owners (not licens	ees) who meet the following criteria:	
If the rights to the variety are owned by the original breeder, that penational of a country which affords similar protection to nationals of	erson must be a U.S. national, national of the U.S. for the same genus and specie	of a UPOV member country, or es.
If the rights to the variety are owned by the company which employ nationals of a UPOV member country, or owned by nationals of a c genus and species.	ed the original breeder(s), the company ountry which affords similar protection t	must be U.S. based, owned by a nationals of the U.S. for the same
3. If the applicant is an owner who is not the original owner, both the o	original owner and the applicant must m	eet one of the above criteria.
The original breeder/owner may be the individual or company who dire Act for definitions.	ected the final breeding. See Section 4	1(a)(2) of the Plant Variety Protection
According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, control number. The valid OMB control number for this information collection is 0581-0055, including the time for reviewing the instructions, searching existing data sources, gathering an	The time required to complete this information collect	inn is estimated to average 0.1 hour per response
The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and ac marrial or family status, political beliefs, parental status, or protected genetic information. (No. Communication of program information (Parille Large prior availations etc.) status	tivities on the basis of race color, national origin, get	nder, religion, age, disability, sexual orientation.

To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, Room 326-W, Whitten Building, 14th and Independence Avenue, SW, Washington, D.C. 20250-9410 or call (202) 720-5964 (voice and TDD). USDA is an equal opportunity provide and employer.

ASSIGNMENT OF SHELBY TALL FESCUE

WHEREAS, Virginia Lehman, Blue Moon Farm, 811 Mountain River Dr., Lebanon, OR 97355 has developed the variety of Shelby (01.0576) tall fescue through breeding and development.

NOW, THEREFORE IN CONSIDERATION OF ONE DOLLAR (\$1.00) and other valuable consideration made to Virginia Lehman, I hereby assign unto Blue Moon Farm, 811 Mountain River Dr., Lebanon, OR 97355 my entire interest in Shelby (01.0576) tall fescue for the United States and all foreign countries and any plant variety protection to be issued therefore in the United States or any foreign country. The commissioner, Plant Variety Protection Office is requested to issue the plant variety protection certificate in accordance herewith.

Virginia Dehman

Sworn and subscribed before me this

Day of Feb. (2 , 2004.

Notary Public of Oregon